

U.S. Department of Labor

Office of Administrative Law Judges
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Issue Date: 25 November 2005

CASE NO.: 2005-STA-4

In the Matter of:

ROBIN STEVENS,
Complainant

v.

CONTAINER PORT GROUP,
Respondent

**RECOMMENDED DECISION AND ORDER APPROVING SETTLEMENT
AGREEMENT**

This claim arises under the employee protection provision of the Surface Transportation Act (STAA), 49 U.S.C. § 31105, and its implementing regulations found at 29 C.F.R. Part 1978. On November 18, 2005, Complainant, Robin Stevens, filed an Unopposed Motion to Approve Settlement and Dismiss Proceeding with Prejudice along with an attached Settlement Agreement.

I have carefully reviewed the parties' settlement agreement and have determined that it constitutes a fair, adequate and reasonable settlement of the complaint and is in the public interest. However, pursuant to 29 C.F.R. § 1978.109(c), the Administrative Review Board must issue the final order of dismissal of an STAA complaint resolved by settlement.

Accordingly, IT IS RECOMMENDED that the Administrative Review Board APPROVE the agreement and DISMISS the complaint with prejudice.

A

MICHAEL P. LESNIAK
Administrative Law Judge

NOTICE OF REVIEW: The administrative law judge's Recommended Order Approving Settlement, along with the Administrative File, will be automatically forwarded for review to the Administrative Review Board, U.S. Department of Labor, 200 Constitution Avenue, NW, Washington, DC 20210. *See* 29 C.F.R. § 1978.109(a); Secretary's Order 1-2002, ¶4.c.(35), 67 Fed. Reg. 64272 (2002).

Within thirty (30) days of the date of issuance of the administrative law judge's Recommended Order Approving Settlement, the parties may file briefs with the Administrative Review Board ("Board") in support of, or in opposition to, the administrative law judge's order unless the Board, upon notice to the parties, establishes a different briefing schedule. *See* 29 C.F.R. § 1978.109(c)(2). All further inquiries and correspondence in this matter should be directed to the Board.